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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/029,818      | 12/31/2001  | Joyce Brett          | P-3206-15           | 7824             |

7590 05/03/2005  
MYRON AMER, P.C.  
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Mineola, NY 11501

EXAMINER

MITCHELL, KATHERINE W

ART UNIT PAPER NUMBER

3677

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

### SUPPLEMENTAL ACTION

1. Examiner's position remains:

"Appellant clarified in his Appeal Brief that the first adhesive deposit is that deposit applied by the 'manufacture (sic) of the article of manufacture (i.e., Johnson & Johnson) of the bandage' and the second adhesive is deposited 'by the applicant [now appellant] in preparation of arranging for a jewelry display using the bandage'.

Appellant has claimed a method for arranging for a jewelry display on an existing adhesive bandage, and thus cannot include a step of 'applying a first adhesive deposit on said laterally extending strips' of the existing adhesive bandage, as this is an existing property of the adhesive bandage and not a step of the claimed method. ...

Appellant did not disclose that the adhesive was applied on the strips, nor could appellant have any control of that step, as that is done by the adhesive bandage manufacturer. The adhesive surface could be applied (by the bandage manufacturer, not the appellant) as the laterally extending strips are formed, or the laterally extending strips could have a basic adhesive property and not need adhesive to be applied."

2. Appellant's claim wording explicitly states the step of:

"...applying a first adhesive deposit on said laterally extending strips..."

3. Examiner maintains that appellant cannot claim this step, as it was never originally disclosed and it is not performed as part of the method of arranging for a jewelry display to be worn on a person – it is a step in the manufacture of the adhesive bandage being used.

4. The rejection under 35 U.S.C. § 112, first paragraph is MAINTAINED.

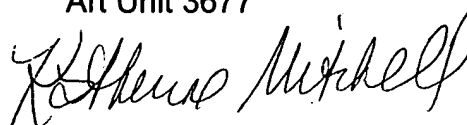
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine W. Mitchell whose telephone number is 571-272-7069. The examiner can normally be reached on Mon - Thurs 10 AM - 8 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on 571-272-7075. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Katherine W Mitchell  
Examiner  
Art Unit 3677



Kwm  
8/1/2005



APPROVED BY  
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